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FM AMEMBASSY HANOI
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0659
INFO ASEAN MEMBER COLLECTIVE
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C O N F I D E N T I A L HANOI 000931

SENSITIVE
SIPDIS

E.O. 12958: DECL: 2019/12/29

TAGS: [PHUM](#) [PGOV](#) [PREL](#) [VM](#)

SUBJECT: War hero/dissident sentenced to 5.5 years; Le Cong Dinh
trial date set

REF: A) HCMC 673; B) HANOI 663; C) HCMC 473

CLASSIFIED BY: Mike Goldman, Acting Political Chief; REASON: 1.4(B),
(D)

11. (SBU) Following a half-day trial December 28, former army Lt. Colonel and democracy activist Tran Anh Kim was sentenced by a court in Thai Binh to five and a half years in prison, followed by three years of probation. Although Kim was convicted under the more serious Article 79 (subversion), which carries sentences of 12 years to death by firing squad (ref A), the prosecution focused on dissident activities that are typically prosecuted under the more commonly used Article 88. According to contacts at the trial, the judge cited Kim's decorated war record when issuing the sentence, which was lighter than many expected.

12. (SBU) Kim was arrested in June, together with U.S.-trained attorney Le Cong Dinh and three other prominent democracy advocates (refs B,C). Over the weekend, HCMC staff received confirmation from the attorney representing Dinh's co-defendant Nguyen Tien Trung that Trung, Dinh, and Tran Huynh Duy Thuc will be tried on January 20 in HCMC.

13. (C) COMMENT: Five and a half years represents a light sentence for an Article 79 conviction, though it is firmly in the range for Article 88. This "leniency" may not necessarily apply to Le Cong Dinh and his codefendants, who are charged under the same statute but whom the government has sought to portray as more serious threats to state security. END COMMENT.

14. (U) This cable was coordinated with ConGen HCMC.
Michalak